## BOEHM, KURTZ & LOWRY

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RECEIVED

MAR 1 1 2005

PUBLIC SERVICE COMMISSION

March 10, 2005

VIA OVERNIGHT MAIL

Beth A. O'Donnell, Executive Director Kentucky Public Service Commission 211 Sower Boulevard Frankfort, Kentucky 40602

Re: <u>Case No. 2005-00053</u>

Dear Ms. O'Donnell:

Please find enclosed the original and twelve copies of Petition to Intervene of Gallatin Steel Company filed in the above-referenced matter.

By copy of this letter, all parties listed on the attached Certificate of Service been served. Please place this document of file.

Very Truly Yours,

Michael L. Kurtz, Esq.

**BOEHM, KURTZ & LOWRY** 

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MLKkew Attachment

cc:

Certificate of Service A. W. Turner, Esq.

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by regular U.S. mail (unless otherwise noted) to all parties on the  $10^{th}$  day of March, 2005.

Mr. Roy M. Palk East Kentucky Power Cooperative, Inc. 4775 Lexington Road P. O. Box 707 Winchester, KY 40392-0707

Honorable Charles A. Lile Senior Corporate Counsel East Kentucky Power Cooperative, Inc. 4775 Lexington Road P. O. Box 707 Winchester, KY 40392 charliel@ekpc.com

Honorable Elizabeth E. Blackford Assistant Attorney General Office of the Attorney General Utility & Rate Intervention Division 1024 Capital Center Drive, Suite 200 Frankfort, KY 40601-8204 betsy.blackford@law.state.ky.us

Michael L. Kurtz, Esq.



## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

MAR 1 1 2005

PUBLIC SERVICE COMMISSION

In The Matter Of: Application Of East Kentucky Power Cooperative, Inc. For A Certificate Of Public Convenience And Necessity And A Site Compatibility Certificate, For The Construction Of A 278 MW (Nominal) Circulating Fluidized Bed Coal Fired Unit And Five 90 MW (Nominal) Combustion Turbines In Clark County, Kentucky

Case No. 2005-00053

## PETITION TO INTERVENE OF GALLATIN STEEL COMPANY

Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Gallatin Steel Company ("Gallatin") requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

- 1. Gallatin is the largest end use customer located in the Owen Electric Cooperative ("Owen") service territory. Owen is in turn provided with generation and transmission service by East Kentucky Power Cooperative ("EKPC").
- 2. The matters being decided by the Commission in this case may have a significant impact on the rates paid by Gallatin for electricity. Electricity represents a significant cost of doing business for Gallatin. The attorneys for Gallatin authorized to represent them in this proceeding and to take service of all documents are:

Michael L. Kurtz, Esq. **BOEHM, KURTZ & LOWRY** 

36 East Seventh Street, Suite 1510 Cincinnati, Ohio 45202

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3. The position of Gallatin cannot be adequately represented by any existing party. Gallatin intends to play a constructive role in the Commission's decision making process herein and Gallatin's participation will not unduly prejudice any party.

WHEREFORE, Gallatin Steel Company requests that it be granted full intervenor status in the above captioned proceeding.

Respectfully submitted,

Michael L. Kurtz, Esq.

**BOEHM, KURTZ & LOWRY** 

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COUNSEL FOR GALLATIN STEEL COMPANY